

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, December 3, 2013, 7:00 PM  
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen  
Mayor Dennis R. Phillips, Presiding  
Alderman Colette George  
Vice-Mayor Mike McIntire

Alderman Tom C. Parham  
Alderman Tom Segelhorst

City Administration  
John G. Campbell, City Manager  
J. Michael Billingsley, City Attorney  
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Jim Demming, City Recorder.
- II.B. **INVOCATION:** Dr. Steve Hooper – Restoration Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman John Clark and Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: McIntire/Parham, to approve minutes for the following meetings:

- A. November 18, 2013 Regular Work Session
- B. November 19, 2013 Regular Business Meeting

Approved: All present voting “aye.”

**VI. COMMUNITY INTEREST ITEMS.**

**AA. PUBLIC HEARINGS.**

**1. Public Hearing for Annexation Annual Plan of Services Report** (AF: 307-2013). Planner Corey Shepherd gave a brief presentation on this item, noting one has been finished and the other eight are on schedule. Mayor Phillips pointed out the city is not in violation of any promised plan of service for any of the annexations.

**PUBLIC COMMENT ON ITEM VI.AA.1.** None.

**A. PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

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**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration and Approval of an Ordinance to Amend the Code of Ordinances, City of Kingsport, Tennessee, Division 2, Section 98-215 through Section 98-235, Regarding Parking in the Downtown Area (AF: 312-2013).** City Manager Campbell asked for this item to be withdrawn from the agenda so staff can make some changes.

Motion/Second: McIntire/Segelhorst, to withdraw:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, DIVISION 2, SECTION 98-215 THROUGH SECTION 98-235; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye" to withdraw.

**2. Consideration of a Resolution Accepting a Donation of Funds from AARP and a Budget Ordinance to Appropriate Such Funds (AF: 310-2013).**

Motion/Second: Parham/McIntire, to pass:

**Resolution No. 2014-090,** A RESOLUTION ACCEPTING A DONATION FROM AMERICAN ASSOCIATION FOR RETIRED PERSONS FOR THE PURCHASE OF NEW SIGNS FOR THE GREENBELT

Passed: All present voting "aye."

Motion/Second: Parham/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE STATE STREET AID FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM AARP AS A DONATION FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**3. Consideration of an Ordinance to Amend Zoning of a Portion of Parcel 125, Tax Map 32J, Located Off East Stone Drive in the 10<sup>th</sup> Civil District of Sullivan County (AF: 278-2013).** City Attorney Billingsley stated he spoke with Mr. Shine earlier today and the other party wished to proceed with the rezoning as originally planned. He further stated that a fence will be required on the property if they want to store vehicles there.

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EAST STONE DRIVE TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 10<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. Consideration of an Ordinance to Amend Zoning of Parcel 1, Tax Map 46A, Located Off West Stone Drive in the 11<sup>th</sup> Civil District of Sullivan County (AF: 277-2013).**

Motion/Second: McIntire/Segelhorst, to adopt:

**Ordinance No. 6365**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WEST STONE DRIVE TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 11<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**2. This item was moved to VI.B.3.**

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply and Receive a Public Works Investment Grant through the U. S. Economic Development Administration (AF: 302-2013).**

Motion/Second: Segelhorst/George, to pass:

**Resolution No. 2014-091**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A PUBLIC WORKS INVESTMENT GRANT THROUGH THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION

Passed: All present voting "aye."

**2. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Apply and Accept a Section 5307 Federal Transit Administration Grant from the U.S. Department of Transportation (AF: 299-2013).**

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2014-092**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5307 FUNDS FROM THE U.S. DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2013-2014

Passed: All present voting "aye."

**3. Consideration of a Resolution Authorizing the Mayor to Sign a Change Order with Thomas Construction Company, Inc. for the Sullivan Street Improvements Phase 1 Project (AF: 311-2013).**

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Motion/Second: George/McIntire, to pass:

**Resolution No. 2014-093**, A RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT WITH THOMAS CONSTRUCTION COMPANY FOR THE SULLIVAN STREET IMPROVEMENTS PHASE 1 PROJECT; AUTHORIZING THE MAYOR TO SIGN THE CHANGE ORDER AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

**4. This item was moved to VI.B.2.**

**5. Consideration of a Resolution Approving Renewal of the Workers' Compensation Reinsurance with Safety National Casualty Corporation (AF: 303-2013).**

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2014-094**, A RESOLUTION APPROVING THE RENEWAL OF THE AGREEMENT WITH SAFETY NATIONAL INSURANCE CORPORATION FOR WORKERS' COMPENSATION REINSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RENEWAL OF THE AGREEMENT

Passed: All present voting "aye."

**6. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to PCS for the Purchase of Wireless Access Points and Licenses for the School System (AF: 316-2013).** Mayor Phillips commented the board had concerns with funding computers for the school system, noting the lengthy discussion at the work session last night. The mayor further stated there was a need to clarify some issues and discuss them with the school system for the BMA to feel more comfortable moving forward with this item. He pointed out the board was not anti-school or anti-technology. The mayor asked for this item, as well as Item VI.D.8, VI.D.9 and VI.D.10 be pulled from the agenda at this time.

Motion/Second: Parham/Segelhorst, to defer:

A RESOLUTION APPROVING THE PURCHASE OF WIRELESS ACCESS POINTS AND LICENSES FOR THE KINGSPORT CITY SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye" to defer.

**7. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Accept the Assignment of Copyright from All Artists Associated with the Kingsport Carousel Project (AF: 309-2013).** Alderman Segelhorst complimented the work that has been done so far on the carousel.

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Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2014-095**, A RESOLUTION APPROVING ALL ASSIGNMENT OF COPYRIGHT AGREEMENTS WITH THE ARTISTS ASSOCIATED WITH THE KINGSFORT CAROUSEL PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye."

**8. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to Dell for the Purchase of Laptops for Administrators and Students for the School System (AF: 313-2013).** This item was deferred. See Item VI.D.6.

Motion/Second: Parham/Segelhorst, to defer:

A RESOLUTION APPROVING THE PURCHASE OF TECHNOLOGY DEVICES FROM DELL FOR THE KINGSFORT CITY SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye" to defer.

**9. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to CDWG for the Purchase of Tablets, Computers and Wireless Infrastructure Equipment for the School System (AF: 314-2013).** This item was deferred. See Item VI.D.6.

Motion/Second: Parham/Segelhorst, to defer:

A RESOLUTION APPROVING THE PURCHASE OF TECHNOLOGY DEVICES AND WIRELESS NETWORK INFRASTRUCTURE EQUIPMENT FROM CDWG FOR THE KINGSFORT CITY SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye" to defer.

**10. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to Hi-Line Construction for the Purchase of Services for the Wireless Infrastructure in the School System (AF: 315-2013).** This item was deferred. See Item VI.D.6.

Motion/Second: Parham/Segelhorst, to defer:

A RESOLUTION APPROVING THE PURCHASE OF SERVICES FOR THE NETWORK INFRASTRUCTURE FOR THE KINGSFORT CITY SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME  
A RESOLUTION APPROVING THE PURCHASE OF SERVICES FOR THE NETWORK INFRASTRUCTURE FOR THE KINGSFORT CITY SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye" to defer.

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**11. Consideration of a Resolution Approving Renewal of the  
Property Insurance with Travelers for All City and School Property (AF: 318-2013).**

Motion/Second: McIntire/George, to pass:

**Resolution No. 2014-096**, A RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT WITH TRAVELERS INSURANCE FOR CITY OF KINGSFORT PROPERTY INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**12. Consideration of a Resolution Authorizing a Property Swap  
Agreement for Property Located at 1113 Konnarock Road and Authorize the  
Mayor to Execute the Agreement and Sign All Applicable Documents  
(AF: 301-2013).** City Manager Campbell gave details on this item, stating this property was half of the PET Dairy site. He noted that staff understood it was the intent of the BMA to sell the property the city is receiving in the trade.

Motion/Second: Segelhorst/McIntire, to pass:

**Resolution No. 2014-097**, A RESOLUTION AUTHORIZING A PROPERTY EXCHANGE APPROVING AN AGREEMENT WITH TENNESSEE ELECTRIC COMPANY, INC., d/b/a TEC INDUSTRIAL MAINTENANCE AND CONSTRUCTION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS.**

**1. Consideration of Appointment to the Beverage Board  
(AF: 308-2013).**

Motion/Second: Segelhorst/McIntire, to approve:

APPOINTMENT OF MR. DAVE LIGHT TO SERVE ON THE **BEVERAGE BOARD**. MR. LIGHT WILL BE COMPLETING THE UNEXPIRED TERM OF MR. GEORGE SAMUEL. THE APPOINTMENT WILL BE EFFECTIVE IMMEDIATELY AND WILL EXPIRE DECEMBER 31, 2016.

Passed: All present voting "aye."

**VII. CONSENT AGENDA.**

**1. This item was moved to VI.C.1.**

**2. Consideration of an Ordinance to Amend the Drug Fund Budget  
by Appropriating Funds for Various Projects (AF: 273-2013).**

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Motion/Second: George/Parham, to adopt:

**Ordinance No. 6366**, AN ORDINANCE TO AMEND THE DRUG FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**3. Consideration of an Ordinance Amending Various Code Provisions Allowing the Manufacturing and Retail Sale of Beer in the Kingsport Business Area (AF: 294-2013).**

Adopt:

**Ordinance No. 6367**, AN ORDINANCE TO AMEND SECTIONS 6-173(e) AND 6-213 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, TO COMPLY WITH THE PROVISIONS OF TENNESSEE CODE ANNOTATED SECTION 57-5-101(c)(1) PERMITTING CERTAIN MANUFACTURES TO SELL AT RETAIL; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**4. Consideration of an Ordinance to Appropriate the Funds Regarding a Materials Agreement with Vic Davis Related to The Summitt at Preston Park Phase 3 Development (AF: 295-2013).**

Adopt:

**Ordinance No. 6368**, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY DECREASING FUNDS TRANSFERRED TO THE SUMMIT AT PRESTON PARK PHASE 3 MATERIALS AGREEMENT PROJECTS (WA1480 AND SW1480); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**5. Consideration of a Budget Ordinance to Appropriate Such Funds Regarding Accepting a Donation of Funds from the Jimmie Edward Allen Estate (AF: 292-2013).**

Adopt:

**Ordinance No. 6369**, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED AS A DONATION FOR THE SENIOR CENTER FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

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**6. Consideration of an Ordinance to Amend Various Project Funds (AF: 218-2013).**

Adopt:

**Ordinance No. 6370**, AN ORDINANCE TO AMEND THE GENERAL PROJECT, GENERAL PROJECT SPECIAL REVENUE, AND STORM WATER PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**7. Approve Adoption of the 2014 Joint Tri-Cities Legislative Agenda (AF: 306-2013).**

Approve:

**ADOPTION OF THE 2014 JOINT TRI-CITIES LEGISLATIVE AGENDA**

Passed in a roll call vote: George, McIntire, Parham, Segelhorst and Phillips voting "aye."

**8. This item was moved to VI.C.2.**

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** Mr. Campbell noted the upcoming Christmas tree lighting Saturday night, which will be featuring the DB band. He further commended the volunteers and those who participated in the United Way campaign.


**B. MAYOR AND BOARD MEMBERS.** Alderman George stated that today was the National Day of Giving and encouraged everyone to donate to whatever organization they supported. She also noted that December is a month to enjoy family and friends. Alderman Segelhorst pointed out Kingsport is blessed to have two great hospital systems, commenting on a function he had attended earlier in the day. Alderman Parham noted the quality of people and the leadership in the community. He also commented on the city luncheon earlier today, thanking those who were involved and wishing everyone a Merry Christmas. Vice-Mayor McIntire mentioned the wonderful decorations at the luncheon. Mr. Campbell pointed out the decorations were provided by the Human Resource department. Mayor Phillips remarked on the involvement of the board in the community, noting the many events they attend whenever possible. The mayor also stated how much the board appreciates the city employees.

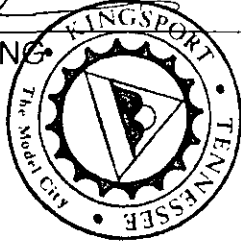
**C. VISITORS.** None.

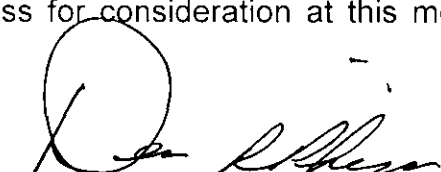


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**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:38 p.m.

  
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JAMES H. DEMMING  
City Recorder



  
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DENNIS R. PHILLIPS  
Mayor